

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MATTHEW B. HOYT, BOBBY J. BAILEY,
STANLEY A. MCINTOSH,
PHILLIP E. WILSON, and GARY W. SHORE

MAILED

APR 17 2006

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Appeal No. 2006-0941
Application No. 10/059,364

ON BRIEF

Before PAK, OWENS, and FRANKLIN, *Administrative Patent Judges*
OWENS, *Administrative Patent Judge*.

REMAND TO THE EXAMINER

The appellants' claim 20, which is the sole independent claim, recites that the nylon core polymer has "an amine end group (AEG) content of between about 10 meq/kg which is susceptible to dyeing". The other end point of the amine end group content is not recited.

We therefore remand the application to the examiner for the examiner to consider rejecting claim 20 as being indefinite under 35 U.S.C. § 112, second paragraph.

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Also, the appellants argue as though claim 20 requires that the nylon sheath polymer has an amine group end content of less than about 10 meq/kg (brief, page 5). The amine group content of the nylon sheath polymer is not recited in claim 20. The appellants should determine whether claim 20 should include the nylon sheath polymer's amine end group content.

This remand to the examiner pursuant to 37 CFR § 41.50(a)(1) (effective September 13, 2004, 69 Fed. Reg. 49960 (August 12, 2004), 1286 Off. Gaz. Pat. Office 21 (September 7, 2004)) is made for further consideration of a rejection. Accordingly, 37 CFR § 41.50(a)(2) applies if a supplemental examiner's answer is written in response to this remand by the Board.

REMANDED

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